

SENATE No. 2373

The Commonwealth of Massachusetts



MAURA T. HEALEY
GOVERNOR

OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE · , MA

KIMBERLY DRISCOLL
LIEUTENANT GOVERNOR

March 20, 2023

To the Honorable Senate,

TERMINATION OF PUBLIC HEALTH EMERGENCY

DECLARED MAY 28, 2021 PURSUANT TO G. L. c. 17, § 2A

WHEREAS, in December 2019, the 2019 novel Coronavirus (“COVID-19”) caused outbreaks of the disease that thereafter spread globally;

WHEREAS, on January 31, 2020, the United States Secretary of Health and Human Services declared a nationwide public health emergency, pursuant to section 319 of the Public Health Service Act, in response to COVID-19;

WHEREAS, on March 10, 2020, Charles D. Baker, Governor of the Commonwealth of Massachusetts, declared a state of emergency pursuant to Chapter 639 of the Acts of 1950, and a public health emergency pursuant to Section 2A of Chapter 17 of the General Laws, in response to COVID-19;

WHEREAS, beginning on March 12, 2020, the Commissioner of Public Health, acting under the authority of Section 2A of Chapter 17 of the General Laws, issued a series of Public Health Orders which successfully limited the spread of COVID-19, maximized capacity

and flexibility in the Commonwealth's health care system, and facilitated statewide testing, treatment, prevention education, and vaccination programs to combat the virus;

WHEREAS, on May 28, 2021, in response to sustained improvements in public health data and the development and distribution to the public of safe and highly effective COVID-19 vaccines, Governor Baker rescinded the emergency declarations issued on March 10, 2020;

WHEREAS, on May 28, 2021, Governor Baker declared a modified statewide public health emergency pursuant to Section 2A of Chapter 17 of the General Laws in order to continue or extend certain Public Health Orders then in effect, and, as necessary, to support additional targeted interventions to facilitate accelerated COVID-19 testing, vaccination, prevention education, and outbreak response;

WHEREAS, as of March 1, 2023, over 5.6 million residents of the Commonwealth have been fully vaccinated against the COVID-19 virus and over 6.5 million have received at least a first dose;

WHEREAS, as of March 1, 2023, 80 percent of Commonwealth residents have been fully vaccinated against the COVID-19 virus, one of the highest per capita vaccination rates in the country;

WHEREAS, the widespread adoption of safe and highly effective vaccines, historic state and federal investments in efforts to mitigate the impacts of the virus, ready access to testing, prior infections and related immune responses, and therapeutic advances in the treatment of COVID-19 have now contributed greatly to making COVID-19 a more manageable illness;

WHEREAS, responding to COVID-19 remains a public health priority requiring continued vigilance and the need for continued collective efforts to protect the most vulnerable;

WHEREAS, on January 30, 2023, the President of the United States announced that the nationwide public health emergency, declared pursuant to section 319 of the Public Health Service Act, would end on May 11, 2023;

WHEREAS, the threats to the public health presented by COVID-19 within the Commonwealth will, as of May 11, 2023, no longer require the exercise of the powers provided by Section 2A of Chapter 17 of the General Laws;

NOW THEREFORE, I declare that, effective 12:01 am on May 11, 2023, the statewide public health emergency declared on May 28, 2021 pursuant to Section 2A of Chapter 17 of the General Laws is terminated. Upon the termination of the public health emergency, any remaining orders of the Commissioner of Public Health issued under the authority of Section 2A

of Chapter 17 of the General Laws in response to the May 28, 2021 declaration shall be rescinded and shall have no further effect.

Residents of the Commonwealth are advised to stay well informed and attentive to recommendations from the Massachusetts Department of Public Health and the Centers for Disease Control and Prevention, observe reasonable personal precautions against infection, seek vaccination and maintain their vaccination status, and seek prompt treatment to prevent serious health complications from COVID-19.

Given this 17th day of March, two thousand and twenty-three

Respectfully submitted,

Maura T. Healey,
Governor